



UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

Greensboro Division

Austin Wayne Byrd
Protect Our Rights

Case No.

23 CV 872

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Guilford County
Guilford County Detention Center

Guilford County Sheriff's Office

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☒ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Austin Wayne Byrd
Street Address	8300 Wrights Farm Lane
City and County	Summerfield, Guilford
State and Zip Code	NC, 27358
Telephone Number	None
E-mail Address	protectourrights@outlook.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	GUILFORD COUNTY
Job or Title (if known)	
Street Address	301 WEST MARKET STREET
City and County	GREENSBORO, GUILFORD
State and Zip Code	NORTH CAROLINA 27358
Telephone Number	
E-mail Address (if known)	

Defendant No. 2

Name	GUILFORD COUNTY DETENTION CENTER - GREENSBORO
Job or Title (if known)	
Street Address	201 SOUTH EDGEWORTH STREET
City and County	GREENSBORO, GUILFORD
State and Zip Code	NORTH CAROLINA, 27358
Telephone Number	NONE
E-mail Address (if known)	PROTECTOURRIGHTS@OUTLOOK.COM

Defendant No. 3

Name	Guilford County Sheriffs Department
Job or Title (if known)	
Street Address	401 W. Washington St.
City and County	Greensboro, Guilford
State and Zip Code	Are North Carolina, 27358 27401
Telephone Number	911
E-mail Address (if known)	

Defendant No. 4

Name	
Job or Title (if known)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (if known)	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case. **1983 Complaint**

18 USC 1701, THEFT BY A GOVERNMENT EMPLOYEE

1st Amendment, 4th Amendment, 5th amendment, 7th amendment, 8th amendment, 9th Amendment, 10th Amendment, 14th Amendment, HIPPA PRIVACY LAWS

Other laws that protect the confidentiality of legal, medical mail, and financial mail.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

~~\$100,000~~ AND THE COST OF ALL COURT RELATED EXPENSES
 After Second tampering altercation - \$1,000,000
 Plus all court cost waived or expenses paid.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Guilford County Detention Center illegally withheld a piece of mail in a white envelope with tracking #: 70223330000049461237 that was delivered to the GCDC front desk, reception area, or mail room at 10:00 am on June 14, 2023 in GREENSBORO, NC. with legal documents that contained confidential medical mail. Item never made it to inmate Matthew Robert Alexander Little Inmate #657602. Also tampered and violated 4th amendment rights on certified tracking #: 70223330000049472714 with return receipt # 9590940282093030922246. Item was delivered to the front desk, reception area, or mail room at 10:00 am on June 14, 2023 in GREENSBORO, NC.

1st Mailed Package was mail theft, the 2nd package mail tampering both falling under 18 USC 1701 without opening and inspecting in front of the inmate like Policy should say to uphold the law.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

1. Physical mail allowed back in facilities for the following reasons:

- To avoid scanning others personal data. - To stop the violation of privacy rights.
- Inmates have the sentimental value of pictures, & letters to read while they miss their loved ones.
- To be able to use legal information at all times through the day because it is very difficult to get into the law library and inmates can't have the tablets when they need them most to study for their cases. - Stop 4th amendment violations -etc.

2. Agent T. Harrekson fired or suspended without Pay.. for not making sure the mail got to where it was supposed to go.

2. \$100,000 for the mental suffering I had to deal with trying to make sure a U.S. Citizen got the resources they needed and were properly equipped with the material needed to defend themselves in court. I suffered intentional infliction of emotional distress, severe emotional distress, along with physical record breaking migraines that I never have, and causing heart and anxiety problems.
3. All officers involved fired.
4. Correct legal mail policies to be followed by correctional staff when anyone sends properly marked legal mail which is OPENING AND INSPECTING IT IN FRONT OF THE INMATE.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 09/29/2023

Signature of Plaintiff AUSTIN WAYNE BYRD

Printed Name of Plaintiff AUSTIN WAYNE BYRD



B. For Attorneys

Date of signing: _____

Signature of Attorney PRO SE

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

AUSTIN WAYNE BYRD

PROTECT OUR RIGHTS

Plaintiff

GUILFORD COUNTY DETENTION CENTER -
GREENSBORO & GUILFORD COUNTY

Defendant

Guilford County Sheriff dept

Civil Action No.

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

MATTHEW ROBERT ALEXANDER LITTLE INMATE # 657602

201 S. Edgeworth St Guilford County NC 27401

(Name of person to whom this subpoena is directed)

☐ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place:	Date and Time:
--------	----------------

The deposition will be recorded by this method:

☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date:

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) _____, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named individual as follows: _____
_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____
_____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

UNITED STATES DISTRICT COURT

Austin Wayne Byrd Protect Our Rights for the

~~Robert Matthias Alexander Little~~
Plaintiff

Civil Action No.

1 Guilford County Detention Center - Greensboro
2 Guilford County Sheriff's Department
3 Guilford County
Defendant

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Guilford County Badge # 1798
(Name of person to whom this subpoena is directed)

☐ Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place:

Date and Time:

The deposition will be recorded by this method:

☐ Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached — Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date:

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) _____, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for (name of individual and title, if any) _____

on (date) _____

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

on (date) _____

; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.: _____

UNITED STATES DISTRICT COURT

for the

Austin Wayne Byrd

Plaintiff

Civil Action No.

Guilford County, NC Sheriff's Dept.
Guilford County Detention Center - Greensboro
Guilford County

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

USPS Postal Inspector over Service request

(Name of person to whom this subpoena is directed)

55627159

☐ Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place:

Date and Time:

The deposition will be recorded by this method:

☐ Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached - Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date:

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for (name of individual and title, if any) _____
on (date) _____

☐ I served the subpoena by delivering a copy to the named individual as follows: _____
_____ on (date) _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.: _____

Also submitted a report to the

law enforcement of USPS

for an official police report

Since officer badge #1798

would not file my report

last time the Detention

Center tampered/stole

Mine and Matthew Littles

mail. USPS Service request #:

55627159

10/02/2023

UNITED STATES DISTRICT COURT

Austin Wayne Byrd - Protect our Rights
~~Robert Matthew Alexander Little~~

Plaintiff

Civil Action No.

Guilford County, NC Sheriff Dept.
~~Guilford County Detention Center - Greensboro~~

Defendant

3 Guilford County

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: USPS Postal Inspector over Service request 52004773
 (Name of person to whom this subpoena is directed)

☐ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place:

Date and Time:

The deposition will be recorded by this method:

☒ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached - Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date:

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) _____, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

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Civil Action No. _____

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on (date) _____

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

on (date) _____

; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also rendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.: _____

Austin wayne Byrd - Protect our rights for the

~~Robert Matthew Alexander Little~~

Plaintiff

Civil Action No.

Guilford County Detention Center
Guilford County Sheriff's Dept. - Greensboro

Defendant

Guilford County

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

MS.

Officer Johnson working 6-12-23 to 6-18-23

(Name of person to whom this subpoena is directed)

☐ Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place:	Date and Time:
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The deposition will be recorded by this method:

☐ Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

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Date:

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

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Notice to the person who issues or requests this subpoena

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Civil Action No. _____

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on (date) _____.

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

on (date) _____

or _____

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____

for travel and \$ _____

for services, for a total of \$ _____

0.00

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature _____

Printed name and title _____

Server's address _____

Additional information regarding attempted service, etc.: _____